

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION AT MEMPHIS

FREE SPEECH COALITION, INC.,
DEEP CONNECTION TECHNOLOGIES, INC.,
JFF PUBLICATIONS, LLC,
PHE, INC., and MELROSE MICHAELS,

Plaintiffs,

v.

JONATHAN SKRMETTI, in his official capacity as
THE ATTORNEY GENERAL OF TENNESSEE,

Defendant.

No. 2:24-cv-02933
Chief Judge Lipman
Magistrate Judge Pham

DECLARATION OF MARIAN SCHMIDT

1. I am over the age of 18 and have personal knowledge of the facts set forth in this declaration.
2. I am an investigator with the Office of the Tennessee Attorney General where I have been employed for over 7 years. I am currently assigned to the Civil Medicaid Fraud unit within the General Litigation Division. Prior to that, I spent over 32 years as a Special Agent with the Federal Bureau of Investigation and the Department of Defense, Office of Inspector General.
3. As part of my job with the Tennessee OAG, I conduct civil fraud investigations and special investigations as requested by various divisions within the OAG.
4. I was requested to view certain websites and determine if they contained sexually explicit content.

JustFor.Fans

5. On December 10, 2024, I conducted a Google Search for JustFor.Fans and connected to a link <https://justfor.fans>. In order to click on any of the still images of content providers, I was required to register as a fan. The registration required me to enter an email address and password. I also had to turn on a toggle switch which stated that I agree to all terms, conditions, and policies and I confirm I am 18 or older.
6. Once I logged in under the email and password I created at registration, I was able to view a landing page with multiple still images of various content providers. There was a list on the left sidebar with categories of searchable material.

7. I selected one of the images titled "musclebeard." The click took me to a 4 second video of anal sex. To view the full video further required a payment.
8. Under the heading "Trending Performers" I noticed a still photo with the word "Live" in red letters. I clicked on the image titled "hairytonic" which was a brief video of two males performing anal sex. To view further required a payment of \$2.00.
9. Under the category of "Todays Sales" I was taken to another landing page with multiple options for content providers. I clicked on the still image labeled "beata video." There were multiple videos by that provider which each lasted 5 seconds. The first video showed digital penetration and masturbation. The second video showed active sexual intercourse between a man and a woman. Another video was labeled "sucking and riding his big cock 22 cm."
10. I next selected from the left sidebar the category of "All Models." Again, the landing page offered multiple options for content providers. I clicked on the link labeled "Fit Naughty Couple." This page offered a subscription for \$29.99. There was also the option to just click on videos. This immediately opened a video of two males and one female engaging in various kinds of sex. The first scene was video with a female wearing a "strap-on" engaging in anal sex with a man. The next scene showed one of the males engaging in vaginal sex with the woman who was pregnant. This video lasted 1:11 minutes. The next video showed the same individuals engaging in oral sex. This video lasted 1:15 minutes.
11. In the same section, there was a video category from "cum dump Jessica." The video showed a female performing oral sex. This video lasted 30 seconds. It was titled "me serving plenty of anonymous cocks at The Glory Hole."
12. There was another video by "Bitch69 Kinky." It was described as "international sluts fuck with honey play box." This preview lasted a few seconds.
13. At no other time than the initial registration was I asked to confirm I was 18 or older.
14. I also located an Instagram account for JustFor.Fans. The landing page contained various still photos. If you clicked on the photo, it did contain a link. I did not view any videos on this platform.

o.school

15. On December 10, 2024, I located the website www.o.school on the internet. I observed two tabs on the top header labeled "Read Our Sex Education" and "Shop The Best Toys." There was also a button to "Join our community" which linked to an offer to subscribe to newsletter by email.
16. I clicked on the tab to read our sex education and was taken to a landing page menu to select a variety of topics to "learn about sex and pleasure, learn about sex toys, learn about your body, improve your sexual health, and improve your love life." Under each category were multiple titles for more specific topics. For example, under Learn About Sex & Pleasure were these titles: First-Time Sex, Masturbation, Orgasm, Hand Sex, Oral Sex, Vaginal Sex, Anal Sex, Kink & BDSM, and Sensuality & Arousal.

17. I viewed these specific titles: "First Time Sex," "1. Foreplay matters – even more than you think," "6. Try different anal sex positions," "11. Key word: the clitoris," and "1. Missionary." Each article contained text of an explicit sexual nature.

18. The text of the articles contained detailed descriptions of sexual acts.

19. At no time while navigating through this website was I asked to log in, register, or declare that I was 18 or older.

Adam & Eve

20. On December 10-11, 2024, I located the website www.adameve.com on the internet. The landing page identified the types of products offered for sale with accompanying photos. There was also a tab to select "Sex Guides, Get sex tips, relationship advice, & learn how to use sex toys!". Under Sex Guides was another tab to select "Sex Tips & Advice." These titles included: Sex Positions, Oral Sex, Spicing Up Your Sex Life, Erogenous Zones, Masturbation, Backdoor Play & Anal Sex, Bondage & Kinky Sex, Flirting Kissing & Foreplay, Dr. Jenni's 50 Years of Great Sex.

21. I viewed these specific titles: "3 Best Anal Sex Positions for Beginners," "5 Tips for Eating Her Out," "Booty Bow Wow," "Covered Bridge," "Milking the Prostate: A Step-by-Step Guide." Each article contained text of an explicit sexual nature.

22. The text of the articles contained detailed descriptions of sexual acts.

23. There was also a section on the website to "Shop Adam & Eve Pictures DVDs!" Still photographs representing the DVDs were sexual in nature, including exposed women's breasts displaying nipples, exposed women's buttocks, and men and women in sexual positions.

24. At no time while navigating through this section of the website was I asked to log in, register, or declare that I was 18 or older.

25. On the landing page, there was an option to conduct a search. When I conducted a search for videos I was taken to a page with instructions to look for an adult movie. The text stated, "you can find adult movies on our sister sites." These included links to AdultMovieMart.com and AdamEveVOD.com.

26. I clicked on the link for AdamEveVOD.com. A banner appeared with "Warning: Sexually Explicit Content for Adults Only." There was additional text under the heading "Confirm You Are Over 18" which stated, "By clicking on the "Enter" button and by entering this website you agree with all the above and certify under penalty of perjury that you are an adult." The button to enter was below.

27. I clicked on the enter button and was taken to another page. This page was the location to create an account with an email and password and provide name and address. I did not complete this process.

Adult Movie Mart

28. On December 10-11, 2024, I accessed the website adultmoviemart.com on the internet. The landing page had multiple categories on the top banner including videos, multipacks, features, sex toys, fetish, amateurs and others. Under the heading "sex videos offered, one of the titles was "Alluring Threesomes." Under the category of SexVideos – Best Sellers, was the title "Fill Me With Your Orgasm." There were other still photographs of categories including: interracial, wall-to-wall sex, gay sex, holiday deal, and holiday sale.

29. I clicked on the photo representing Fill Me With Your Orgasm to attempt to purchase the video. There was a notification below the photograph of this title "Login to see explicit imagery." I attempted to create an account under the log in page but was not successful. I did not see any banner during this process to confirm I was 18 or older.

30. I took screenshots of some of the still photographs representing the videos. The photographs are sexually graphic, including exposed women's breasts displaying nipples, exposed women's buttocks, and men and women in sexual positions.

Adam and Eve Stores

31. On December 10, 2024, I conducted a Google search for Adam and Eve Stores. I located a Facebook page for one store location. It did not contain any explicit photos or reels. It provided an address for that particular store.

DragFor.Fans

32. On December 10, 2024, I searched the internet for "dragfor.fans." The search returned an account on the X platform and Instagram. I did not observe any sexually explicit photos or videos on these sites.

33. I also found a link to register as a "Fan/Creator" at DragFor.Fans which was nearly identical to the registration JustFor.Fans. I attempted to register but was not successful.

DECLARATION UNDER PENALTY OF PERJURY

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the above statements are true and based upon my personal knowledge.

/s/ *Marian Schmidt*

MARIAN SCHMIDT